

United States District Court

DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Ian Freeman

CASE NUMBER: 1:21-cr-000041

**DEFENDANT'S OBJECTION TO GOVERNMENT'S MOTION IN LIMINE TO
EXCLUDE EVIDENCE OF STATE LAW**

NOW COMES the Defendant, Ian Freeman, by and through counsel, and objects to the Government's Motion In Limine To Exclude Evidence of State Law.

As grounds for and in support of, the Defendant states as follows:

1. The Defendant is charged as set forth in the Government's Motion.
2. The Defendant ascertains that the evidence referred to would not be confusing nor "prejudicial" to the Government and would in fact clearly illustrate Mr. Freeman's activity in context at the time of those activities.
3. The Defendant was under the impression that the activity he was engaged in was lawful, and therefore, not illegal and that a license was not required. This was communicated to him through a bank official by way of legislation, history, and an opinion letter drafted by an attorney.
4. He operates certain vending machines openly and notoriously for an extended period of time in lawful business settings including at least one setting frequented by the New Hampshire Liquor Commission and enforcement arm.

5. Additionally, during the relevant times alleged in the indictment, specific references to “cryptocurrency” vis-à-vis “funds” was not integrated into the relevant money transmission legislation thereby failing to specifically place the Defendant on proper notice of any federal violation. (See Motion to Dismiss Generally)
6. The Government concedes that specific intent – that of a knowing nature, must be proven. The Defendant was of the belief that it was a legitimate business by federal government omission and by state government blessing. It is clearly relevant evidence under Federal Rules of Evidence 401 as it makes the element of “knowing” less probable than it would be without the evidence and the fact of consequence in determining the action.

WHEREFORE, The Defendant objects to the Government’s Motion In Limine To Exclude Evidence of State Law and requests proper relief.

Respectfully Submitted,

September 14, 2022

Date

/s/ Mark L Sisti
Signature

Mark L. Sisti
Print Name

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CERTIFICATION

I hereby certify that a copy of this appearance was forwarded to Seth Aframe, Esq. and Georgiana MacDonald, Esq of the U.S. District Attorney's Office, electronically through EFC on September 14, 2022.

September 14, 2022

Date

/s/ Mark L Sisti
Signature

Mark L. Sisti
Print Name